

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOUCHARD TRANSPORTATION CO., INC,

Plaintiff,

-against-

LAUREL SHIPPING LLC and GULF OIL LP,

Defendants.

LAUREL SHIPPING LLC,

Third-Party Plaintiff,

-against-

M/V ELLEN S. BOUCHARD, IMO No. 8117952, Official No. 644590, her engines, apparel, furniture, equipment, appurtenances, tackle, etc., M/V MORTON S. BOUCHARD JR., IMO No. 9794680, Official No. 1265315, her engines, apparel, furniture, equipment, appurtenances, tackle, etc., M/V JANE A. BOUCHARD, IMO No. 9269702, Official No. 1139762, her engines, apparel, furniture, equipment, appurtenances, tackle, etc., M/V EVENING STAR, IMO No. 9629768, Official No. 1234828, her engines, apparel, furniture, equipment, appurtenances, tackle, etc.,

Third-Party Defendants.

1:19-cv-9559

ORDER

USDC SDNY
DOCUMENT
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DOC #: _____
DATE FILED: 4/29/2020

MARY KAY VYSKOCIL, United States District Judge:

Upon the motion of Third-Party Plaintiff Laurel Shipping LLC's ("Laurel") for an Order Authorizing Alan Swimmer to Act in Lieu of U.S. Marshall in Serving Warrant of Arrest [ECF No. 79], and good cause appearing therefore, the Motion is GRANTED.

In contrast to its previous request for the same relief made on February 27, 2020 [ECF No. 75], Laurel has now demonstrated that extraordinary circumstances exist warranting this unusual form of relief. Among the impacts of the COVID-19 pandemic are a significant curtailment of a range of court functions, including the service of process by US Marshals in the

Southern and Eastern Districts of New York. Laurel notes the Standing Order issued by Chief Judge McMahon for the Southern District (M10-468, 20MISC00153) and Chief Judge Mauskopf for the Eastern District (Administrative Order No. 2020-12). Furthermore, over two months have passed since the Court first issued the warrants for arrest requested by Laurel [ECF Nos. 64-67].

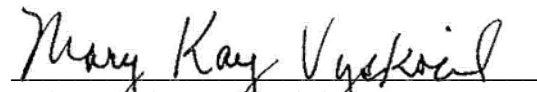
Therefore, upon this second motion of Laurel for an Order deputizing Alan Swimmer, the President of the court-appointed substitute custodian National Maritime Services, to act in lieu of the U.S. Marshal in serving the Warrant of Arrest on the M/V ELLEN S. BOUCHARD, the M/V MORTON S. BOUCHARD, the M/V JANE A. BOUCHARD, and the M/V EVENING STAR (the “Vessels”), and because the ordinary means of serving arrest papers are not available to Laurel due to COVID-19, it is hereby:

ORDERED that Alan Swimmer is hereby authorized to serve the Warrants issued on February 14, 2020; and it is further

ORDERED that Alan Swimmer, having been so authorized, shall serve the Verified Third-Party Complaint [ECF No. 48], Order Authorizing Issuance of Warrant of Arrest [ECF No. 61], the Warrants issued by this Court [ECF Nos. 64-67], and the Summons for each Vessel [ECF Nos. 57-60] on any occupant of the Vessels, or alternatively, post each on a conspicuous place on the Vessels, in accordance with this Court’s orders and any applicable rules and will file proof of service promptly.

SO ORDERED.

**Date: April 29, 2020
New York, NY**


MARY KAY VYSKOCIL
United States District Judge